

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Feb 06, 2025

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CHRISTIE F.,

Plaintiff,

vs.

MICHELLE KING, Acting
Commissioner of Social Security,¹

Defendant.

No. 1:24-CV-03109-JAG

ORDER GRANTING
STIPULATED REMAND

Before the court is the parties' Stipulated Motion to Remand. ECF No. 16.
After considering the file and proposed order, it is hereby **ORDERED**:

1. The parties Stipulated Motion to Remand, **ECF No. 16**, is
GRANTED.

2. Based on the stipulation of the parties, the above-captioned case is
REVERSED and **REMANDED** for further administrative proceedings pursuant

¹ Michelle King became the Acting Commissioner of Social Security on January 21, 2025. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Michelle King is substituted for Martin J. O'Malley as the defendant in this suit. No further action need be taken to continue this suit. See 42 U.S.C. § 405(g).

1 to sentence four of 42 U.S.C. § 405(g). Upon remand, the Appeals Council shall
2 instruct the administrative law judge to:

- 3 a) Obtain updated queries to verify the claimant's date last insured
4 and further consider whether the claimant is disabled, as
5 defined in the Social Security Act, through the date last insured
6 or the date of the decision, whichever is earlier (20 CFR
7 404.1520);
8 b) Further consider whether the claimant has engaged in
9 substantial gainful activity during the entire period at issue;
10 c) Further evaluate the prior administrative medical findings and
11 the claimant's residual functional capacity (20 CFR 404.1520c,
12 and Social Security Ruling 96-8p);
13 d) If necessary, obtain supplemental vocational expert evidence;
14 e) If the claimant is found disabled, further consider whether the
15 claimant had good cause to fail to follow prescribed treatment
16 (Social Security Ruling 18-3p, and HALLEX II-5-3-1);
17 f) Take any action necessary to complete the administrative
18 record;
19 g) Offer the claimant an opportunity for a hearing; and
20 h) Issue a new decision.

21 3. All other pending motions are **DENIED AS MOOT**.

22 4. Judgment shall be entered for **Plaintiff**.

23 5. Upon proper consideration, the Court will consider Plaintiff's
24 application for reasonable attorney's fees and costs pursuant to the Equal Access to
Justice Act, 28 U.S.C. § 2412(d).

1 The District Court Executive is directed to enter this Order, enter judgment
2 in favor of the Plaintiff, provide copies of the Order and Judgment to counsel, and
3 **CLOSE THIS FILE.**

4 DATED February 6, 2025.



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A handwritten signature in blue ink, reading "James A. Goetze", is written over a horizontal line.

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JAMES A. GOETZE
UNITED STATES MAGISTRATE JUDGE